

that the rule be suspended and the ordinance be placed on its second reading. Motion carried by the following vote: Ayes, Mayor Pro tem Haynes, Councilmen Alford, Graham and Ward, 4; nays, none, absent, Mayor Yett.

The ordinance was read the second time and Councilman Ward moved a further suspension of the rule and the placing of the ordinance on its third reading and final passage. Motion carried by the following vote: Ayes, Mayor Pro tem Haynes, Councilmen Alford, Graham, and Ward, 4; nays, none, Mayor Yett absent.

The ordinance was then placed on its third reading and final passage, by the following vote: Ayes, Mayor Pro tem Haynes, Councilmen Alford, Graham and Ward, 4; nays, none, Mayor Yett absent.

The Council then recessed.

#### SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, August 9, 1920.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Alford, Graham, Haynes and Ward, 5; absent, none.

The applications of L. C. Cahill and Gus D. Riffe to operate service cars were granted by the following vote: Ayes, Mayor Yett, Councilmen Alford, Graham, Haynes and Ward, 5; nays, none.

Councilman Alford introduced the following resolution:

Whereas, City Marshal, J. D. Platt, and Sergeant-of-Police, George Clary, were heretofore suspended by the City Council from duty for the period of thirty days from July 10th, 1920, after a hearing of the testimony in connection with the alleged mistreatment of Douglass Childress while a prisoner in the city jail; and

Whereas, there were grave differences between the testimony of the said Platt and the said Clary offered in said hearing, as to certain material facts under inquiry; and

Whereas, said period of suspension is about to expire, and said officers are about to present themselves for reinstatement in their respective positions in the Police Department; and

Whereas, it is the judgment of the Superintendent of Police and Public Safety that on account of the sharp contradiction in the testimony of said two officers, it will be impossible for them to hereafter co-operate in the performance of their official duties or to serve together on the police force without seriously impairing the efficiency of the entire police department,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL:

That said J. D. Platt is hereby dismissed from the office of City Marshal and said George Clary is hereby dismissed from the position of Sergeant-of-Police, and it is so ordered.

*L. C. Cahill,  
Gus D. Riffe  
Service Cars*

*J. D. Platt  
George Clary*

*Platt  
Clary  
Dismissed*

The foregoing resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Alford, Haynes and Ward, 4; nays, Councilman Graham.

Councilman Graham gave the following as his reasons for voting nay, and asked that same be spread upon the Minutes of the City Council:

"In reference to the resolution discharging J. D. Platt as City Marshal and George Clary as Sergeant-of-Police, I vote no, and request that the following reasons for my so voting be recorded in the Minutes of the City Council.

On the 10th of July, 1920, the following resolution was unanimously adopted:

'BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That after a full and free investigation into the facts in connection with the alleged mistreatment of Douglass Childress while a prisoner in the city jail, it is the sense and judgment of the City Council that City Marshal J. D. Platt and Sergeant-of-Police George Clary be and they are each suspended from official service, without pay, for a period of thirty days, effective instant, for permitting certain parties to enter and remain in the city jail without the presence of an officer.'

Before said above cited resolution was adopted, every phase of the proposition was gone into. The entire evidence was printed and a copy of same furnished to each member of the City Council. I, like all of us, agreed that it was an improper and bad practice to permit anyone to enter the jail unless in the custody of an officer, but during the trial evidence disclosed the fact that said practice had been set as a precedent on previous occasions. We agreed on a reprimand in the way of a thirty days suspension so as to ever afterwards establish the Council's opposition to such practices.

At the time of the passing of the resolution referred to, namely, that passed on the 10th of July, my convictions of the entire case were fully expressed. Since said date there has been no further evidence disclosed or facts brought out which would cause me to change my opinion on the entire matter, and thus I do hereby vote NO to the resolution calling for the dismissal of said Platt and Clary.

(Sgd) J. W. Graham.

Councilman Haynes introduced the following resolution:

WHEREAS, the tax rolls of 1919 show the following property assessed to A. J. Pate, to-wit:

Lot No. 5, Block No. 6, Outlots 2 and 3, Division "B";  
 Lots Nos. 10 and 11, Block No. 6, Outlet 38, Division "O";  
 Amount of taxes being -----\$42.12  
 " " interest ----- .84  
 " " penalty ----- 2.20  
 Making a total of -----\$45.16

and

WHEREAS, said Pate is a returned soldier and claims that he should only be required to pay the taxes and interest,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That upon the payment of the taxes and accrued interest, the

Assessor and Collector be and he is hereby authorized to remit the penalty of Two Dollars and Twenty Cents (\$2.20).

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Alford, Graham, Haynes and Ward, 5; nays, none. The Council then adjourned.

*J. L. Woodward*  
*City Clerk*

# REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 12, 1920.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Alford, Graham, Haynes and Ward, 5; absent, none.

The Minutes of the last meeting were read and adopted by the following vote: Ayes, Mayor Yett, Councilmen Alford, Graham, Haynes and Ward, 5; nays, none.

Councilman Ward introduced the following and asked that same be spread upon the Minutes:

*Jas. S. Ward*  
*Person's for Vote*

" On the resolution introduced by the Superintendent of Police for the dismissal from the service, of J. D. Platt, Chief of Police, and George Clery, Sergeant, of the City of Austin, I vote aye for the following reasons:

1st: Because the dismissal of these two officers was requested by the Head of this Department;

2nd: Because it was stated by the Head of this Department that the continuance of these two men in the service would in his judgment greatly cripple the efficiency of his Department;

3rd: Because he alone is responsible to the people for the proper conduct of his office and should the Council undertake to force upon him his assistants, it would readily be seen that all discipline in his Department would be done away with.

Jno. S. Ward."

*Obtain recommendation?*  
*Call for vote*

Upon the recommendation of C. L. Woodward, Chief of the Fire Department, Councilman Alford nominated for appointment in the Fire Department, Felix Williams, as hoseman for hose company No. 5, and S. C. Bryant as hoseman for hose company No. 3, to succeed Peter Brown and Emory Hornsby, resigned. Nominations were confirmed by the following vote: Ayes, Mayor Yett, Councilmen Graham, Haynes and Ward, 4; nays, none, Councilman Alford present but not voting.

The following monthly reports were read and ordered filed:

Jas. A. Warren, Bookkeeper and Cashier of the Street and Sewer Department;

J. E. Woody, Fire Marshal;

C. L. Woodward, Chief of the Fire Department;